The Cochin Ancient Monuments Preservation Bill.

Mr. K. Achyuta Menon.—I beg to move that the Cochin Ancient Monuments Preservation Bill be read in the Council.

Mr. T. K. Krishna Menon.—I beg to second it.

Mr. K. Achyuta Menon.—The object of this Bill has been lucidly set out in the statement of objects and reasons. So, I do not wish to add anything more.

President.—The motion having been made and duly seconded, it is open to discussion for the House.

Mr. S. F. Nunez.—I rise to support this legislation. It was in Lord Curzon's time that the Ancient Monuments Preservation Bill was passed in British India. I need not remind the House of what an intresting event it was in the History of Modern India. India has been very rich in its past history, and though its history has not been written down in the pages of books, as was the case with the ancient Romans, the ancient Greeks or the Chinese, enough has been left behind to perpetuate the memories of great personages and the memories of their still greater achievements. Coming nearer home to Kerala, we may particularly mention the fact that, in the matter of contributing to its general greatness in the past, Kerala's place is an eminent one, but the pity of it is that the relics of ancient civilisation in Kerala were allowed to lie neglected for a long time, and to-day we are in a sad position that very little is left behind to remind us of the glorious days of the illustrious past. Travancore, our sister State, has been more vigorous than us, in this respect. It is not for me to cast any slur on the efforts and activities in this direction in Cochin State. British India and Travancore are ahead of us in this matter of Archaeological discoveries, enabling us to utilise the resuscitation of these discoveries and the interpretation of these discoveries. In Cochin, Sir, lies and lives, in the remnants of ancient books, a place where merchants and sailors of many nations used to congregate for mercantile purposes, where shops were opened throughout the year, which was in fact the emporium of trade throughout the west coast of India. Afterwards, these places became still more important as the seat of Kerala Rulers, as Tiruvanchikulam was the capital of the Perumals. Now, very little of these ancient glories are left behind. It is, therefore, a matter of some satisfaction to note that our Government is now beginning to take a keen interest in this matter. Mr. Pisharoti, who was in charge of the Archaeological activities of this State, did indeed some pioneer work in this direction, some solid work. I am

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glad to note that the present incumbent to the post is a full-timed man, taking a keen interest in the matter of this legislation to enable us to bring to better fruition his efforts, and I am sure that all we have lost in the past in this matter will be made up still. When excavations have been made in other States and in British India, the ancient stratographic evidence of the history of the past is evidenced, the study of which stratographic evidence, I hope, will bring to light not only the history of Kerala but also the history of Southern India in general. But, Sir, in this matter a good advance has been made in the Andhra Desa, and even the history of the Tamilians has been full of light regarding the system of working of their ancient polity, their system of government, the working of ancient laws, their social institutions. Many of these institutions have been worked to light. It is only in Kerala that much work has to be done. We have men to-day like Mr. T. K. Krishna Menon and Mr. C. Achyuta Menon who would do good work in this line. It is with pride and genuine appreciation that I rise to support this legislation.

Mr. A. B. Salem.—No words are necessary to support this Bill. I think, Sir, it has been long overdue in Cochin. All I wish to say is that the Bill be brought into force at the earliest possible moment. Very many neglected ancient monuments, neglected by the communities, which have to be looked after, exist. They should be taken in hand before further ruination takes place. There are some monuments which need care and require resuscitation and attention. There are many old clocks worked under the old Dutch system in Cochin, and where these still exist in Cochin here and there, all these should be taken note of, to be preserved in their prestine antiquarian glories. I also hope that the Government will not be stingy in sanctioning funds in this direction, as any amount of money spent will be spent not only for our education but also for the future generations, for those who are interested in the study of the history of Cochin. With these few words I support this Bill.

The question may be put to the vote.

President.—The question before the House is that "The Cochin Ancient Monuments Preservation Bill" be read in Council.

The motion was put to the vote and carried.

Mr. T. K. Krishna Menon.—The title of the Bill is "The Cochin Ancient Monuments Preservation Bill".

President.—Are there any changes ?.

Mr. K. Achyuta Menon.—The provisions were taken word for word. Suitable alterations were made as regards local conditions. I would request the President to suspend S. O. 32 so that the Bill may be immediately taken into consideration.

President.—You may make the motion.

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Mr. K. Achyuta Menon.—I beg to move that the Cochin Ancient Monuments Preservation Bill be taken into consideration.

Mr. T. K. Krishna Menon.—I second it.

President.—The question before the House is that the Cochin Ancient Monuments Preservation Bill be taken into consideration.

The motion was put to the vote and carried.

President.—What are the changes made from the British enactment? How many sections are there in the British Act? Here we have 24 sections.

Mr. K. Achyuta Menon.—The same number of sections.

President.—What are the principal changes?

Mr. K. Achyuta Menon.—One, regarding officers. 'Commissioner'. Government will nominate a member to perform the duties of the Commissioner.

President.—What are the duties assigned to him?

Mr. K. Achyuta Menon.—He is to acquire rights in monuments, protect and maintain and, if need be, relinquish control of ancient monuments. The British Collector corresponds to the Tahsildar. That is the change.

'Local Government' is substituted by 'Cochin Government'.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—Section 7 (3) of the Bill states his decisions may be appealed to the Diwan.

Mr. K. Achyuta Menon.—Parties may appeal to the Commissioner.

President.—Here the Tahsildar corresponds to the Commissioner there.

Mr. K. Achyuta Menon.—The Tahsildar is not corresponding to the Commissioner, but he corresponds to the Collector.

President.—What is the definition of 'Commissioner'?

Mr. K. Achyuta Menon.—'Commissioner' is the chief officer according to section 4 (3). There are appeals to the Commissioner. Here the Commissioner is the Diwan.

President.—Is it with the object of multiplying the work of the Diwan?

I believe you had an opportunity of going through the Bill?

Dr. A. G. Menon.—The party supports the Bill as a whole. No objection is taken to any clause of the Bill.

Mr. C. Achyuta Menon.—No objection is taken to any clause of the Bill, and so there is no necessity for discussing it.

President.—What is the procedure?

Mr. A. Sankara Puduval.—According to section 41, it is left to the discretion of the President, to submit the Bill as a whole. It is not obligatory.

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President.—In accordance with section 41, should not the Bill be submitted to the House clause by clause ?

Dr. A. G. Menon.—Under what section ?

President.—Under Standing Order 41. Please consider that point.

Mr. K. Achyuta Menon.—You may submit the Bill to the Council as a whole or the whole of the Bill clause by clause or any part of the Bill clause by clause.

President.—According to section 41, when a motion that a Bill be taken into consideration has been carried, it shall be in the discretion of the President to submit the Bill to the Council clause by clause or any part of the Bill clause by clause.

Mr. S. F. Nunez.—Hear, hear.

President.—We have nothing to do with the clause without reference to the Bill.

Dr. A. G. Menon.—I am afraid the President has no power to put it as a whole.

Mr. V. K. Kochunni Menon.—What is section 42 ?

President.—That comes into play when the amendments are moved. Therefore there is no necessity to move clause by clause. But something must be done. Either the Bill must be put to the Council or nothing should be done. That the motion be taken into consideration having been passed, the question is with regard to the final passing or the third reading. That is the point.

Dr. A. G. Menon.—He will have to put clause by clause.

Mr. K. Achyuta Menon.—It is obligatory on the President to read part of the Bill or at least any part of the Bill.

President.—Submit the Bill or any part of the Bill to the Council clause by clause. I am going to take up the 23 sections and then take up the preamble.

Mr. K. Achyuta Menon.—I think that such a compliance is not required. That it is left to your discretion is clear from section 42. So the President need not interfere with any question at this stage. There may be no complaint. The President is at liberty to ask the Hon'ble mover of the Bill to come with his motion for the third reading.

President.—I shall not do anything at all. There is no necessity to read part or any part of the Bill clause by clause.

Mr. K. Achyuta Menon.—Sir, I beg to move that the Cochin Ancient Monuments Preservation Bill be passed and taken up for consideration on Thursday, the 30th Vrischigam.

Mr. T. K. Krishna Menon.—I second it.

President.—The question before the House is that "the Cochin Ancient Monuments Preservation Bill" be taken into consideration in Council in the meeting on Thursday, the 30th Vrischigam.

The motion was put to the vote and carried.

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President.—The Gazette Notification says that with regard to the agenda of the 15th, 16th and 17th, they will be the agenda of the 28th, 29th and 30th Vrischigam respectively so that the 2nd part of the meeting should be held on the 27th, 28th, 29th and 30th, transacting the remaining business of the agenda of Monday, the 14th and also the unfinished work of Monday, the 27th. This is given for the sake of order. The next item of business is the moving supplementary grants.

Demands for Supplementary Grants.

Demand 1—Land Revenue—Rs. 700.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—I rise to move for an additional allotment for Rs. 700 under "1—Land Revenue, 2 Law charges" (Cranganur). The necessity for the expenditure is a very pressing one. Our Cranganur State has got a big Estate, rather a series of estates, in the adjoining Ponnani Taluk of British Malabar, in no less than 37 *Amsoms*. We get a rent of Rs.7,500 and 8,500 paras of paddy every year. We have to deal with 750 tenants. Our position there is only just that of an ordinary landlord, and our rent has to be collected from the tenants in the ordinary way. Ordinary land-lords resort to civil suits, a practice very well-known to all the Members present here. We tried to collect the rents without resorting to civil suits. But in this particular case the tenant has proved to be persistently recalcitrant. We thought we would be in a position to settle the matter amicably. Accordingly, when we prepared the Cranganur budget for 1103, no provision was made for this suit. All our efforts have been fruitless, and we were driven to the necessity of filing a suit against the defaulter. The minimum expenditure required is Rs. 700 of which Rs. 262 for court fee, Re. 1 *vakalath*, process Rs. 65 writing charges Rs. 20, and this is the estimate given by our vakil and is not prepared by me. A commissioner has got to be appointed for valuation of improvements, and lastly vakil's fee comes to Rs. 150. The estimate comes to Rs. 697-7-0. I ask for a small additional sum of Rs. 2-9-0 in order to make it a round figure. I hope the House will co-operate with me and vote for this grant.

President.—There is no difference of opinion, so far as this House is concerned.

Mr. N. Padmanabha Menon.—Has the Standing Finance Committee considered this demand?

Mr. I. E. Ambooken.—May I know how much amount is to be realised?

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar. At present the rent comes to Rs. 22 and 200 paras of paddy, but we hope to get more. I think there are arrears of 5 or 6 years, and

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